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SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037				
EXAMINER				
PULLIAS, JESSE SCOTT				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/540,920

**Applicant(s)**

KONG ET AL.

**Examiner**

JESSE S. PULLIAS

**Art Unit**

4181

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 June 2005.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-32 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-32 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 29 June 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-850)  
Paper No(s)/Mail Date 09/21/2005 and 06/29/2005  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_  
5) ☐ Notice of Inventor's Patent Application  
6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-32 rejected under 35 U.S.C. 103(a) as being unpatentable over Poch (5,152,003) in view of Kraemer et al. (2003/0065504).

Consider claim 1, Poch discloses a multi-language communication method,  
**(Abstract lines 1-6)** comprising:

providing to each of said persons access to a plurality of language options; **(Col 4 lines 10-17)**

receiving from each of one or more of said persons an indication of a respective choice of language chosen by said respective person from said language options; **(Col 4 lines 20-30)**

storing said language choices in a message storage unit; and **(Col 7 lines 35-43)**

making said language choices accessible by one or more applications **(Col 8 lines 25-48)** so that said applications can when operated selectively provide output to each respective person in the respective language choice. **(Fig 2 Speaker, Col 7 lines 61-66)**

While Poch teaches storing said language choices in a message storage unit, **(Col 7 lines 35-43)** Poch does not specifically mention storing them in a database. Kraemer et al. specifically teaches a database. **(Fig 1 Database 136)**.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Poch to use the database taught by Kraemer et al. for message storage, in order to make the method more reliable and efficient, as suggested by Kraemer. **([0004] lines 23-27)** The inventions are analogous because they both relate to providing message translations.

Consider claim 5, Poch discloses a multi-language communication method for making an announcement to a plurality of persons, **(Abstract lines 1-6)** comprising the providing and receiving steps from claim 1 along with:

making said announcement in the form of a delivered message over a message delivery system in a principal language; and **(Abstract lines 1-5)**

making said announcement available to each person who has indicated a language choice in the form of a personal announcement over a respective personal message delivery system in said respective language choice; **(Col 4 lines 10-17, lines 31-37)**

whereby a respective person who has chosen a language can access said personal announcement in their respective language choice by means of their respective personal message delivery system. **(Col 4 lines 31-38)**

While Poch discloses the system delivering a message to members of the public, **(Abstract)** there is no specific mentioning of a public address in the form of a public announcement. Kraemer et al. specifically teaches a public address in the form of a public announcement. **([0026 lines 1-24])** It would have been obvious to one of ordinary skill in the art at the time of the invention to use the invention of Poch to deliver a public address in the form of a public announcement, as taught by Kraemer, in order to provide reliable and efficient verbal translations, as suggested by Kraemer. **([0004] lines 25-30)**

With respect to claims 13, 25 and 26, Poch discloses a multi-language communication system **(Abstract)** for making an announcement to a plurality of persons, which comprises the database and public address system from claims 1 and 5 taught by Poch and Kraemer as above, and further comprising:

a plurality of personal address systems, **(Poch Col 3, at least one receiver)** each for making said announcement available to a respective person in the form of a personal announcement in the respective language choice of that respective person;  
**(Poch Abstract lines 1-5)**

a control system **(Col 3 lines 15-16)** operable to select each of said personal announcements **(Col 4 lines 31-38)** on the basis of said public announcement and said language choices, and to direct select **(Col 4 lines 18-19)** each of said personal announcements to the corresponding personal address system of each respective person; **(Col 4 lines 6-9)**

wherein said language choice of a respective person comprises said principal language **(Col 2 lines 59-60)** where said person has not indicated a language choice, whereby each of said persons can access said personal announcement in their respective language choice. **(Col 4 lines 20-24)**

While Poch discloses the system delivering a message to members of the public, **(Abstract)** there is no specific mentioning of a public address in the form of a public announcement. Kraemer et al. specifically teaches a public address in the form of a public announcement. **([0026 lines 1-24)** It would have been obvious to one of ordinary skill in the art at the time of the invention to use the invention of Poch to deliver a public address in the form of a public announcement, as taught by Kraemer, in order to provide reliable and efficient verbal translations, as suggested by Kraemer. **([0004] lines 25-30)**

Consider claim 22, Poch discloses a multi-language communication method for communicating with a plurality of persons, **(Abstract lines 1-6)** comprising:

providing to each of said persons access to a plurality of language options; **(Col 4 lines 10-17)**

receiving from each of one or more of said persons an indication of a respective choice of language chosen by said respective person from said language options; **(Col 4 lines 20-30)**

and providing to each of said passengers who has chosen a language access to content in his or her respective language of choice. **(Fig 2 Speaker, Col 7 lines 61-66)**

While Poch mentions visitors to a museum or tourist attractions as a possible audience (**Abstract lines 1-5**), Poch does not specifically mention passengers. Kraemer et al discloses passengers. (**[0003] lines 1-2**, air travel requires passengers).

It would have been obvious to one of ordinary skill in the art at the time of the invention to use the system of Poch for passengers as taught by Kraemer, in order to provide reliable and efficient verbal translations, as suggested by Kraemer. (**[0004] lines 25-30**)

With respect to claims 2 and 23, Poch discloses wherein those of said persons who do not choose a language are assigned a language choice being a principal language. (**Col 2 lines 59-68, Col 3 lines 1-10**)

Regarding claims 3, 4, and 31, Poch discloses wherein said application is an announcement system (**Abstract lines 1-2**) for making an announcement over a public address system in a principal language; (**Col 2 lines 59-68, Col 3 lines 1-10**)

and making said announcement available to each person who has indicated a language choice in the form of a personal announcement over a respective personal address system in said respective language choice; (**Col 4 lines 10-17, lines 31-37**)

whereby a respective person who has chosen a language can access said personal Announcement in their respective language choice by means of their respective personal address system. (**Col 4 lines 31-37**)

While Poch discloses the system delivering a message to members of the public, **(Abstract)** there is no specific mentioning a public announcement. Kraemer et al. specifically teaches a public announcement. **([0026 lines 1-24]** It would have been obvious to one of ordinary skill in the art at the time of the invention to use the invention of Poch to deliver a public announcement, as taught by Kraemer, in order to provide reliable and efficient verbal translations, as suggested by Kraemer. **([0004] lines 25-30)**

Consider claim 6, 16, and 27, and 32, Poch discloses a method as claimed in claim 5, including making said respective language choices accessible. **(Col 4 lines 20-25)**

Poch does not specifically mention an attendant. Kraemer discloses making them accessible by an attendant **([0003] lines 1-2, air travel requires attendants)**

It would have been obvious to one of ordinary skill in the art at the time of the invention to use the system of Poch with attendants as taught by Kraemer, in order to provide reliable and efficient verbal translations, as suggested by Kraemer. **([0004] lines 25-30)**

Consider claims 7, 8, and 30, Poch discloses wherein said personal announcement comprises a prerecorded audio translation of said announcement in the respective language choice of a respective person, played over one or more personal loudspeakers located proximate said respective person. **(Fig 2, Speaker, Col 4 lines**



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**31-37)** With respect to claims 8 and 30, the headphone or ear-piece output is disclosed by Kraemer in **([0008] lines 1-7)**

With respect to claims 9-11,14, 17-19, and 28-29, Poch discloses one or more personal loudspeakers located proximate to said person **(Fig 2, Speaker, Col 4 lines 31-37)** and Kraemer discloses real-time computer translation. **(Title, Fig 1)** Poch discloses wherein said personal announcement comprises a prerecorded text translation of said announcement **(Col 2 lines 56-58)** in the language choice of a respective person, accessible by means of a display allocated to said respective person, whereby said respective person can read said personal announcement on said display. **(Col 7 lines 58-60)**

With respect to claim 12, the limitations of claim 12 are disclosed by Poch and Kraemer according to the above rejections of claims 2 and 11. Claim 12 is rejected similarly according to the reasons for rejecting claims 2 and 11.

With respect to claim 15, Kraemer discloses wherein said module comprises a server provided with real-time translation software. **(Fig 1).**

Regarding claims 20 and 21, the claimed limitations are met by Poch's disclosure of a display **(Col 7 lines 58-60)** and an entry device. **(Col 7 lines 61-69)**

With respect to claim 24, Poch discloses said content comprises educational material. (**Col 3 lines 26-36**)

### ***Conclusion***

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
  - a. 6,204,885 Kwoh discloses a method for displaying text on the screen of television receivers.
  - b. 5,982,448 Reyes discloses a multi-language closed captioning system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jesse Pullias whose telephone number is 571/270-5135. The examiner can normally be reached on M-R 9:00 AM - 5:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nick Corsaro can be reached on 571/272-7876. The fax phone number for the organization where this application or proceeding is assigned is 571/270-6135.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Jesse S Pullias/

Examiner, Art Unit 4181

/Nick Corsaro/

Supervisory Patent Examiner, Art Unit 4181